



Senators Lott and Feinstein Seek to Reform Earmark Process February 2, 2006

Washington, DC – U.S. Senators Trent Lott (R-Miss.) and Dianne Feinstein (D-Calif.) today introduced a Senate resolution that would make the earmark process more transparent and make it more difficult to slip earmarks and riders into conference reports in the dead of night.

Senator Lott chairs the Senate Rules and Administration Committee and Senator Feinstein is a senior Member of that committee.

"Our proposal does not bar the long-standing practice of allowing Senators to channel resources to communities in their states that need federal resources," Senator Lott said. **"However, we do attempt to bring a far greater degree of transparency to the process and make it nearly impossible for Senators to insert items in unamendable conference reports which have not undergone thorough scrutiny by either the House or Senate."**

"There is nothing inherently wrong when a Senator directs financing for a key project in his or her state. Sometimes it is necessary to get the federal bureaucracy to focus on the needs of our constituents. However, the process needs far greater transparency, and it is my hope that this resolution will resolve some of the problems that have been associated with this process."

"Our legislative process has too often operated in the shadows, where provisions are slipped into conference reports, without scrutiny from either the House or the Senate," Senator Feinstein said. **"This resolution would restore the integrity of the legislative process. Bottom line: it would allow any Senator to raise a 60-vote point of order against provisions - not approved by the House or Senate -- that have been inserted in conference reports."**

"This will ensure that earmarks are not added in the dead of night, with no scrutiny. It will also ensure that Congress maintains the flexibility to address natural disasters and other emergencies that arise. This is a major change in how Washington does business, but it is a key and critical part of the process of restoring the trust of the American people."

The Lott/Feinstein measure does not prohibit earmarks. Instead, it allows a point of order against any matter (earmark or otherwise) that is added to a conference report that was not approved by either the House or the Senate.

To waive the point of order, a Senator would need 60 votes. If the point of order is sustained, the offending item would be stricken from the conference report, but the conference report itself would not fail. It would be passed back to the House for a vote, minus whatever items are deleted.

Additionally, the measure requires the following to make the earmark process more transparent:

- Conference reports must be available to the Senate and on the Internet for at least 24 hours prior to consideration by the full Senate.
- Conference reports must include lists of the sponsors of all earmarks and the justification for each earmark.
- All member requests for earmarks in appropriations bills must be listed in the *Congressional Record*.

#